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REPLY TO: ROCHESTER

December 6, 2024

Honorable Mark W. Pedersen
United States Magistrate Judge
100 State Street
Rochester, NY 14614

Re: *United States v. Ben McCormack*, 24-mj-618-MJP

Dear Judge Pedersen:

The above-captioned case is currently scheduled for a preliminary hearing on December 16, 2024, at 10:30 a.m. I respectfully request that Your Honor adjourn the preliminary hearing until the week of January 13, 2025, or reasonably thereafter.

The requested adjournment will allow my office to investigate the allegations contained in the petition, sufficiently prepare for the preliminary hearing, and properly advise Mr. McCormack on his rights and the potential consequences he faces in his federal and state cases. We anticipate that the process to complete this investigation will require the requested additional time because, as Your Honor may recall, there are multiple local criminal charges referenced in the petition. The additional time may also allow for Mr. McCormack to be arraigned on one of the charges.

I have spoken with Mr. Moynihan and he has no objection to the requested adjournment.

Respectfully,

/s/ Paige-Elizabeth Avery

Paige-Elizabeth Avery
Assistant Federal Public Defender

cc: Charles Moynihan, A.U.S.A.
Jennifer Cannito, U.S. Probation Officer